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January 11, 2023

Hon. Reed O'Connor, United States District Judge
United States District Court, Northern District of Texas
501 West 10th Street, Room 310
Fort Worth, TX 76102-3673

Via ECF

Re: *Navy SEALs 1-26, et al., v. Biden, et al.*, No. 4:21-cv-01236-O

Dear Judge O'Connor:

As the Court is aware, on January 4, 2023, the Fifth Circuit ordered the parties to submit supplemental letter briefs by January 13 addressing the issue of mootness. The same day, this Court ordered "the parties to file those briefs in this case on the same timeline as set by the Circuit." ECF No. 213.

On January 5, Defendants sought an extension of time from the Fifth Circuit to file their supplemental letter brief on January 27. Plaintiffs joined this request. On January 9, the Fifth Circuit granted the parties an extension of time to file their supplemental briefs addressing mootness until January 27, 2023. The order is attached. Based on the Court's previous order, see ECF No. 213, the parties will file those briefs in this case on the same day.

Respectfully submitted,



Heather Gebelin Hacker
Counsel for Plaintiffs

Attachment: Fifth Circuit Order, Jan. 9, 2023

United States Court of Appeals for the Fifth Circuit

No. 22-10077
CONSOLIDATED WITH
No. 22-10534

U.S. NAVY SEALS 1-26; U.S. NAVY SPECIAL WARFARE
COMBATANT CRAFT CREWMEN 1-5; U.S. NAVY EXPLOSIVE
ORDNANCE DISPOSAL TECHNICIAN 1; U.S. NAVY DIVERS 1-3,

Plaintiffs—Appellees,

versus

JOSEPH R. BIDEN, JR., *in his official capacity as President of the United States of America;* LLOYD AUSTIN, *Secretary, U.S. Department of Defense, individually and in his official capacity as United States Secretary of Defense;* UNITED STATES DEPARTMENT OF DEFENSE; CARLOS DEL TORO, *individually and in his official capacity as United States Secretary of the Navy,*

Defendants—Appellants.

Appeal from the United States District Court
for the Northern District of Texas

USDC No. 4:21-CV-1236
USDC No. 4:21-CV-1236

ORDER:

IT IS ORDERED that the parties' joint motion for an extension of time to file supplemental briefs to January 27, 2023 is GRANTED.

LYLE W. CAYCE, CLERK
United States Court of Appeals
for the Fifth Circuit
/s/ Lyle W. Cayce

ENTERED AT THE DIRECTION OF THE COURT